NIAGARA ESCARPMENT PLAN MODIFICATIONS

Ontario

Provincial
Secretariat for
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NIAGARA ESCARPMENT PLAN MODIFICATIONS

The following modifications are made to Volume 2 of the Niagara Escarpment Plan. These modifications which the Lieutenant Governor in Council considers desirable and Volume 2 of the Niagara Escarpment Plan constitute the approved Niagara Escarpment Plan.

A) PERMITTED USE 17 IN THE ESCARPMENT PROTECTION AREA DESIGNATION (2.3) BE REVISED TO READ,

"17. Wayside pits or wayside quarries for municipal road construction purposes subject to the Pits and Quarries Control Act and Part 3.10."

B) THE MINERAL RESOURCES DEVELOPMENT CRITERIA (3.10) FOR PROPOSED WAYSIDE PITS AND QUARRIES BE REVISED TO READ,

" 7. Proposed wayside pits and quarries shall also be subject to the following:

(a) An application for a wayside permit shall be accompanied by a sketch map drawn to scale indicating property features, present pit areas, excavation faces, areas to be excavated and other areas to be used,

(b) An application for a wayside permit shall be accompanied by a rehabilitation statement or plan compatible with the proposed operation and the land use in the area,

(c) The comments of affected municipalities will be solicited on applications for wayside permits for provincial road construction purposes,

(d) Wayside permits for municipal road construction purposes in the Escarpment Protection Area will be restricted to sites previously disturbed by extractive operations, e.g., previous wayside pits or quarries, and abandoned pits or quarries,

(e) The opportunity to use mineral aggregate resources which would not be otherwise commercially developed, including abandoned pits and quarries, shall be considered prior to issuing a wayside permit,

(f) A wayside permit expires on the completion of the project or contract or one year after its issuance, whichever occurs first. Application for renewal or a new permit for the completion of the project or contract will be considered,

(g) An estimated tonnage limit shall be determined based on the requirement of the project or contract and will be placed as a condition on the permit at the time of issuance,

(h) Terms and conditions related to the method of operation and rehabilitation shall also be placed on the permit at the time of issuance."

C) WAYSIDE PITS AND QUARRIES FOR PROVINCIAL ROAD CONSTRUCTION PURPOSES BE EXEMPTED FROM THE REQUIREMENT TO OBTAIN A DEVELOPMENT PERMIT. WAYSIDE PERMITS WILL NOT BE ISSUED FOR PROVINCIAL ROAD CONSTRUCTION PROJECTS IN THE ESCARPMENT NATURAL AREA AND ESCARPMENT PROTECTION AREA DESIGNATIONS.

D) THE AUTHORITY TO ISSUE A DEVELOPMENT PERMIT FOR A WAYSIDE PIT OR QUARRY FOR MUNICIPAL ROAD CONSTRUCTION PURPOSES NOT BE DELEGATED BEYOND THE NIAGARA ESCARPMENT COMMISSION.

E) ALL REFERENCES TO HIGH POTENTIAL MINERAL AGGREGATE RESOURCES, APPENDIX 2 (MAP) AND SECTION 3.11. BE DELETED FROM THE PLAN AND 3.2., GENERAL DEVELOPMENT CRITERIA 1(e), BE REVISED TO READ,

"Development satisfies the requirements of the Foodland Guidelines and the Mineral Aggregate Resource Planning Policy."

F) THE "AFTER USES" POLICY OF SECTION 2.8., MINERAL RESOURCE EXTRACTION AREA, BE REVISED TO READ,

"Prior to a change of land use a mineral resource extraction area will require an amendment to the Niagara Escarpment Plan. The after use of the excavated area shall be compatible with, and have minimal impact upon, the surrounding uses and the objectives of the Niagara Escarpment Plan."

G) THE NIAGARA ESCARPMENT PLAN BE COMPOSED OF THREE PARTS, TWO APPENDICES AND NINE MAPS AS FOLLOWS:

PART 1, LAND USE POLICIES. INCLUDING A GENERAL POLICY STATEMENT ON THE INTERPRETATION OF PLAN AND LAND USE DESIGNATION BOUNDARIES;

PART 2, DEVELOPMENT CRITERIA;

PART 3, THE NIAGARA ESCARPMENT PARKS SYSTEM;

APPENDIX 1, ESCARPMENT PARKS;

APPENDIX 2, DEFINITIONS;
MAPS 1-9.

H) THE NIAGARA ESCARPMENT PLAN BE INCORPORATED INTO OFFICIAL PLANS BY WAY OF THE MINISTERIAL ORDER PROVIDED FOR IN SECTION 15(2) OF THE NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT SUBJECT TO THE PROVINCIAL SECRETARY FOR RESOURCES DEVELOPMENT AND THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING SEEKING THE SUPPORT OF THE AFFECTED MUNICIPALITIES BEFORE PROCEEDING IN THIS MANNER.

I) THE DEFINITION OF UTILITY (1.3) BE EXPANDED TO SPECIFY LICENSED BROADCASTING RECEIVING AND TRANSMITTING FACILITIES.

J) THE FIRST SENTENCE OF THE PERMITTED USES SUBSECTION OF THE ESCARPMENT NATURAL (2.2), PROTECTION (2.3) AND RECREATION (2.7) AREA DESIGNATIONS AND THE MINERAL RESOURCE EXTRACTION (2.8) AREA DESIGNATION CONTAIN THE PHRASE "THE FOLLOWING USES **MAY BE** PERMITTED".

K) ALL REFERENCES IN THE PLAN TO THE AGRICULTURAL CODE OF PRACTICE BE DROPPED AND THAT REFERENCE ONLY TO THE FOODLAND GUIDELINES BE CONSIDERED SUFFICIENT.

L) GENERAL DEVELOPMENT CRITERIA 3.2.1(d) BE REVISED TO READ:

"Development meets applicable federal, provincial and municipal requirements including health and servicing requirements."

AND DEVELOPMENT CRITERION 3 FOR TRANSPORTATION AND UTILITIES (3.15) BE REMOVED FROM THE PLAN.

M) THE PROVINCIAL SECRETARY'S RECOMMENDATION FOR THE SIZE OF THE NIAGARA ESCARPMENT PARKS SYSTEM (4.1) BE MODIFIED TO 105 FROM 107 PARKS.

N) SECTION 4.2. OF THE PROVINCIAL SECRETARY'S RECOMMENDATIONS BE REVISED TO READ,

"The Bruce Trail is an essential component of the Niagara Escarpment Parks System linking parks and natural features.

Where the route of the Bruce Trail has been changed by the cessation of existing informal agreements, a new route shall preferably be stablized by negotiation of trail easements or other agreements with landowners. The determination of these new routes of the trail will be the result of a consultative process coordinated by the Bruce Trail Association involving landowners, municipal councils, and the Government of Ontario. The aim will be to work out, through cooperative effort, the best possible trail location for all concerned.

Where necessary, the Government of Ontario will support the outright purchase of land from willing sellers for the Bruce Trail. Securing a continuous route for the Bruce Trail will be accorded the same priority as establishing the Niagara Escarpment Parks System."

O) A MAP BE PRINTED ON THE INSIDE BACK COVER OF THE PUBLISHED NIAGARA ESCARPMENT PLAN SHOWING THE NIAGARA ESCARPMENT PARKS SYSTEM AND DEPICTING INDIVIDUAL PARKS BY SYMBOLS.

P) THE "OTHER PUBLIC LANDS" CATEGORY BE DELETED FROM THE MAP LEGEND ON MAPS 1-9; SECTION 4.3., ONTARIO HYDRO LANDS BE DELETED FROM THE PLAN; AND THE REFERENCE TO DE CEW FALLS AND DELPHI POINT IN APPENDIX 1 BE DELETED FROM THE PLAN.

Q) PART LOTS 18, 19, and 20, CONCESSION X, CITY OF ST. CATHARINES, BE DESIGNATED URBAN AREA.

R) THE ONTARIO HYDRO PROPERTY AT DE CEW FALLS IN THE CITY OF ST. CATHARINES BE DESIGNATED ESCARPMENT PROTECTION AREA.

S) PART LOT 43, CONCESSION II, TOWN OF ANCASTER, BE DESIGNATED URBAN AREA TO CONFORM WITH THE URBAN AREA DESIGNATION OF THE LOCAL OFFICIAL PLAN.

T) MAP 3 BE REDRAWN TO SHOW NO. 3 SIDEROAD CONTINUING THROUGH THE SOUTHWESTERLY HALF OF CONCESSION III IN THE TOWN OF MILTON.

U) THE SOUTHWEST 1/2, LOT 12, CONCESSION V, TOWN OF MILTON, BE REMOVED FROM THE PLAN.

V) THE LANDS IN THE WEST 1/2, LOT 14, CONCESSION V E.H.S., TOWNSHIP OF MONO, BE DESIGNATED ESCARPMENT PROTECTION AREA.

W) THE LANDS IN LOTS 7-16, CONCESSION VII, VIII AND IX, TOWNSHIP OF NOTTAWASAGA, WHICH ARE SOUTH AND WEST OF THE MAD RIVER BE INCLUDED IN THE NIAGARA ESCARPMENT PLAN AND BE DESIGNATED AS THEY WERE IN THE 1983 FINAL PROPOSED PLAN.

X) LOTS 8 AND 9, CONCESSION IV, TOWNSHIP OF COLLINGWOOD, BE DESIGNATED ESCARPMENT RURAL AREA AND THAT ALL OF LOT 9, CONCESSION III, TOWNSHIP OF COLLINGWOOD, BE DESIGNATED ESCARPMENT RECREATION AREA.

Y) PART LOT 6, CONCESSION V, TOWNSHIP OF EUPHRASIA, BE DESIGNATED ESCARPMENT RECREATION AREA.

Z) THE PROVINCIAL SECRETARY FOR RESOURCES DEVELOPMENT INCORPORATE THE ABOVE MODIFICATIONS INTO A CONSOLIDATED VERSION OF THE NIAGARA ESCARPMENT PLAN.